

CCDA Legislative Status Report

As of Tuesday, February 10, 2015

AB 52

(Gray D) Public accommodations: construction-related accessibility claims.

Introduced: 12/1/2014

Status: 1/22/2015-Referred to Com. on JUD. (stages: 1st house- policy)

Location: 1/22/2015-A. JUD.

Summary: Would provide that a defendant's maximum liability for statutory damages in a construction-related accessibility claim against a place of public accommodation is \$1,000 for each offense if the defendant has corrected all construction-related violations that are the basis of the claim within 180 days of being served with the complaint and the defendant demonstrates that the structure or area of the alleged violation was determined to meet standards or was subjected to an inspection, as specified.

AB 54

(Olsen R) Public accommodations: construction-related accessibility claims.

Introduced: 12/1/2014

Status: 1/22/2015-Referred to Com. on JUD. (stages: 1st house- policy)

Location: 1/22/2015-A. JUD.

Summary: Would, when a plaintiff brings a claim alleging a violation of a construction-related accessibility standard within 3 years of a change in that standard, allow a plaintiff to collect statutory damages only if the plaintiff also provides the owner, agent, or other party responsible for the place in violation with a written notice or demand letter at least 60 days prior to filing any action and the violation is not cured. The bill would require the written notice or demand letter to contain specified information.

SB 67

(Galgiani D) Disability access: statutory damages.

Introduced: 1/7/2015

Status: 1/15/2015-Referred to Com. on JUD.(stages: 1st house- policy)

Location: 1/15/2015-S. JUD.

Summary: Would except a small business from statutory damage liability in connection with a construction-related accessibility claim, and would instead limit recovery to injunctive relief and reasonable attorney's fees as deemed appropriate by the court. The bill would also extend the period for correcting construction-related violations that are the basis of a claim from 60 days to 120 days of being served with the complaint, for purposes of reducing a defendant's minimum statutory damage liability to \$1000.